

Remarks

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The non-final Office Action dated April 4, 2005, indicated that the drawings are objected to; claims 1, 2, 4 and 6-9 are objected to for informalities; claims 7 and 8 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten; claims 1-4 and 9 are rejected under 35 U.S.C. § 102(b) over Chari *et al.* (U.S. Patent No. 4,428,046); and claims 5 and 6 are rejected under 35 U.S.C. § 103(a) over Chari.

Applicant appreciates the indication of allowability for claims 7 and 8.

With respect to the drawings, Applicant has amended figures 1, 2, 4 and 6 in accordance with the Office Action's request and as described on page 2 of this response. Applicant has not amended figures 3 or 5 as each of the boxes in figure 3 has been labeled in figure 2 and no boxes are present in figure 5. While Applicant is open to further suggestions, Applicant submits that the drawing objection has been overcome and requests that the objection be removed.

Regarding the objection to claims 1, 6 and 9, Applicant has removed the language "in that also," "in that," and "and in that also" respectively to improve readability of the claim.

Regarding the objection to claim 2, Applicant has amended the claim in accordance with the Examiner's suggestion.

Regarding the objection to claim 4, Applicant has amended the claim to include antecedent basis for the claimed active states and to improve the readability of the claim.

Regarding the objection to claims 6-8, Applicant has amended claims 6-8 to provide antecedent basis for the decision circuit.

Regarding the objection to claim 7, Applicant has amended the claim in accordance with the Examiner's suggestion.

With respect to each of the above claim objections, Applicant submits that the objections have been overcome and requests that they be removed.

Applicant respectfully traverses each of the prior art rejections (Section 102(b) and 103(a)) because the Office Action fails to present a reference or combination of references

that corresponds to, or in any way addresses the issues of, the claimed invention. The asserted prior art fails to correspond to the instant claims, which are directed to a network and network node for transferring data through a star node based upon pilot signals; *e.g.*, “one star interface transfers data . . . in dependence on a pilot signal.” *See, e.g.*, claim 1. The Office Action appears to mistake a flag bit as corresponding to the claimed pilot signal. A skilled artisan would recognize that a pilot signal is a signal of varying frequency that establishes a baseline of communication. *See, e.g.*, instant Specification at page 2, lines 17-21 and page 9, line 8 *et seq.* In contrast, a flag bit is a marker bit consisting of 1’s or 0’s. *See, e.g.*, ‘046 reference, column 3, lines 46-51. The ‘046 flag bits do not correspond to the claimed pilot signals, as readily recognized by one skilled in the art. Without a presentation of correspondence to each of the claimed limitations, the prior art (Sections 102(e) and 103(a)) rejections cannot be maintained. Accordingly, Applicant requests that each of the rejections be withdrawn.

The Office Action also fails to present evidence of correspondence to various other claim limitations. For example, a decision circuit (*e.g.*, claim 1); a pilot signal generator (*e.g.*, claim 2); a pilot signal evaluation circuit (*e.g.*, claim 3). Each of these claimed circuits is defined for performing one or more specific tasks as set forth in the claims. Without a presentation of evidence of correspondence, the Office Action fails to present a *prima facie* rejection and the rejections should be withdrawn.

As each of the independent claims includes limitations similar to those discussed above, the Office Action fails to present a *prima facie* rejection for any of the instant claims. Thus, Applicant requests that each of the rejections be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Mr. Peter Zawilski, of Philips Corporation at (408) 474-9063.

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